

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

CRIMINAL CASE NO. 1:08cr107

UNITED STATES OF AMERICA,      )  
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  )  
vs.                                   )                                 O R D E R  
  )  
  )  
WARREN EDWARD FORNEY.        )  
  )  
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**THIS MATTER** is before the Court on the Defendant's Motion for Access to US District Court Records [Doc. 89].

In the motion, counsel states that he has recently been appointed by the Fourth Circuit Court of Appeals to represent the Defendant in connection with a possible petition for rehearing and/or for a writ of certiorari. Counsel asks that the Court grant him access to "all of the US District Court documents and PACER entries in this case." This Court is not in a position to provide counsel with access to PACER entries. Therefore this portion of the motion must be denied. Since counsel has been appointed to represent the Defendant, he should be able to review, as a matter of course, filings in this Court's ecf system regarding the Defendant. Therefore this portion of the motion is

denied as moot. It is unclear whether counsel may be seeking other documents. Therefore the motion will be denied without prejudice.

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion for Access to US District Court Records [Doc. 89] is hereby **DENIED** without prejudice.

Signed: November 3, 2011



Martin Reidinger  
United States District Judge

